

AO 91 (Rev. 11/11) Criminal Complaint

## UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States Courts  
Southern District of Texas  
FILED

January 28, 2025

United States of America  
v.

Ezequiel Duran-Escuadra

Case No.

4:25-mj-0039

Nathan Ochsner, Clerk of Court

Defendant(s)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 31, 2024 in the county of Brazoria in the  
Southern District of Texas, the defendant(s) violated:

## Code Section

8 U.S.C. § 1326 (a) and (b) (1)

## Offense Description

a native and citizen of Mexico and an alien who had been previously deported from the United States, after having been convicted of a crime defined as a felony, was found unlawfully in the United States at Alvin, Texas, the said defendant having not obtained the consent before March 2003 from the Attorney General of the United States to reapply for admission into the United States; and without having obtained corresponding consent after February 2003 from the Secretary of Homeland Security pursuant to 6 U.S.C. §§ 202(3) and (4) and 6 U.S.C. § 557,

This criminal complaint is based on these facts:

See Attached Affidavit in support of the Criminal Complaint

☐ Continued on the attached sheet.

Complainant's signature

Brock Gregorczyk, ICE Deportation Officer

Printed name and title

Sworn to me telephonically.

Date: 01/28/2025City and state: Houston, Texas

Judge's signature

Peter Bray, United States Magistrate Judge

Printed name and title

4:25-mj-0039

**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT**

I, Brock Gregorczyk, being duly sworn by telephone, hereby depose and say:

(1) I am a Deportation Officer with the United States Immigration and Customs Enforcement (“ICE”) and have served in that capacity since September 2016. Prior to this assignment, I have held the following positions: Immigration Enforcement Agent and United States Border Patrol Agent. My law enforcement career began on February 3, 2003, as a United States Border Patrol Agent. I have over 20 years of immigration law enforcement experience.

(2) On January 28, 2025, Ezequiel Duran-Escuadra released into ICE custody. The Defendant is also known as or has used the alias of Ezequiel Duran Escuadra, Ezequiel Duran-Escuadra, Ezequiel Escuadra-Duran, Ezequiel Duran, Edgar Juarez Martinez, Issac Rodriguez-Cantu.

(3) The Defendant’s fingerprints have been taken and electronically submitted to various law enforcement databases. According to the Integrated Automated Fingerprint Identification System (IAFIS), the Defendant is the same individual as the person referred to in this Affidavit as having been previously deported and convicted.

(4) Based upon the information from ICE’s records as described below, and my training and experience, I submit that there is probable cause to believe that the Defendant is in violation of 8 U.S.C. § 1326(a) and (b).

(5) Element One: The Defendant is a citizen and national of Mexico and not a native, citizen or national of the United States.

(6) Element Two: The Defendant has previously been deported or removed from the United States on the following occasion(s):

- a. August 9, 2012
- b. May 16, 2013
- c. June 7, 2017
- d. June 12, 2020

(7) Element Three: After deportation, the Defendant was subsequently found in the United States on January 31, 2024, in Alvin, Texas which is within the Southern District of Texas. Specifically, within the Houston or Galveston Division of the Southern District of Texas. Additionally, ICE’s Law Enforcement Support Center (“LESC”) has been consulted to determine whether, in the past five years and after the Defendant’s last deportation, the Defendant has been encountered by law enforcement prior to the date specified earlier in this paragraph. On January

21, 2025, I reviewed the response from LESC and confirmed that LESC had no record of such an encounter.

(8) Element Four: The Defendant did not have permission to reenter the United States. On January 21, 2025, I reviewed the contents of the Alien File associated with this Defendant and/or available database information. I found no indication that the Defendant has ever received permission from the Attorney General of the United States, or the Secretary of the Department of Homeland Security, to apply for admission to the United States following deportation from the United States. I have requested certification of this fact from the Records Branch of the Immigration Service.

(9) Prior Criminal History / Gang Affiliation. The Defendant has the following prior criminal history and/or gang affiliation:

- a. On May 16, 2017, the Defendant, using the name Ezequiel Duran-Escuadra, was convicted in the United States District Court, Southern District of Texas for the offense of conspiracy with intent to possession with intent to deliver methamphetamine, a felony. For this offense, the Defendant was sentenced to four hundred and four (404) days in the Federal Bureau of Prison.
- b. On November 26, 2018, the Defendant, using the name Ezequiel Duran-Escuadra, was convicted in the United States District Court, Southern District of Texas for the offense of smuggling aliens, a felony. For this offense, the Defendant was sentenced to twenty-seven (27) months in the Federal Bureau of Prison.
- c. On May 26, 2020, the Defendant, using the name Ezequiel Duran-Escuadra, was convicted in the United States District Court, Southern District of Texas for the offense of Probation violation - conspiracy with intent to possession with intent to deliver methamphetamine, a felony. For this offense, the Defendant was sentenced to thirty-nine (39) days in the Federal Bureau of Prison.
- d. On July 24, 2024, the Defendant, using the name Ezequiel Duran-Esquadra, was convicted in the 239th District Court, Brazoria County, Texas for the offense of theft of property <=\$2500<\$30K, a felony. For this offense, the Defendant was sentenced to twelve (12) months.

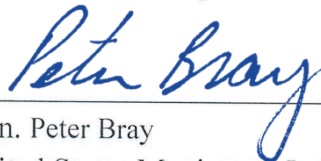
(10) On January 28, 2025, I contacted the U.S. Attorney's Office, Southern District of Texas, Houston Division, concerning this criminal complaint. On or about that day, Assistant U.S. Attorney Rebekah Saunders (713-567-9555) accepted this case for prosecution for a violation of 8 U.S.C. § 1326(a) and (b).



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Brock Gregorczyk, Deportation Officer  
United States Department of Homeland Security  
U.S. Immigration & Customs Enforcement

Signed and sworn telephonically before me on this 28<sup>th</sup> day of January 2025, and I find probable cause.



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Hon. Peter Bray  
United States Magistrate Judge  
Southern District of Texas